

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America

v.

Edgar Leonel COL-YAT

Case No. 2:25-mj-30401

Assigned To : Unassigned

Assign. Date : 6/24/2025

Description: CMP USA v Col-Yat  
(SH)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 17, 2025 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*


8 U.S.C. 1326(a)

Unlawful Re-Entry Following Removal from the United States

This criminal complaint is based on these facts:

On or about June 17, 2025, in the Eastern District of Michigan, Southern Division, Edgar Leonel COL-YAT, an alien from Guatemala, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about August 26, 2016, and not having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

  
Jason Messenger, Border Patrol Agent  
U.S. Department of Homeland Security

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: June 24, 2025City and state: Detroit, MI

  
\_\_\_\_\_  
*Judge's signature*

Anthony P. Patti, U.S. Magistrate Judge  
\_\_\_\_\_  
*Printed name and title*

**AFFIDAVIT**


I, Jason Messenger, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed the immigration file and system automated data relating to Edgar Leonel COL-YAT, a native and citizen of Guatemala.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and arrest warrant for COL-YAT, for a violation of 8 U.S.C. §1326, Unlawful Re-Entry Following Removal. I have not included every fact known to law enforcement related to this investigation.
3. On or about July 27, 2016, COL-YAT was encountered by United States Border Patrol agents in Santa Teresa, New Mexico. COL-YAT was processed as an Expedited Removal and issued A# XXX XXX 056. COL-YAT was removed to Guatemala on August 26, 2016 via Mesa, Arizona.
4. On or about June 29, 2022, COL-YAT was encountered by United States Customs and Border Protection officers at the Detroit Ambassador Bridge in Detroit, Michigan. COL-YAT was processed as a reinstatement of deport order (Form I-871) and released with an order to report for removal on June 30, 2022. COL-YAT failed to report for this removal.
5. On or about September 1, 2023, COL-YAT was encountered by United States Border Patrol agents in Woodhaven, Michigan. COL-YAT was released and ordered to report to ICE for removal on September 6, 2023. COL-YAT failed to report for this removal.
6. On June 17, 2025, an officer from Brownstown Police Department requested assistance from the Gibraltar Border Patrol Station identifying an adult male


they encountered during a traffic stop. The officer conducted a traffic stop on a 2014 GMC Terrain bearing Michigan license plate XXX316 for failing to maintain lane. The driver, identified as COL-YAT, was issued a citation for license – no valid ops on person.

7. At approximately 2:00 AM, a Border Patrol Agent arrived on scene and encountered COL-YAT. The agent identified themselves as a Border Patrol Agent to COL-YAT and conducted an immigration inspection. The agent determined that COL-YAT was an alien who unlawfully entered the United States at a time and place other than as designated by the Secretary of the Department of Homeland Security of the United States. The agent arrested COL-YAT and transported him to the Gibraltar Border Patrol Station for further processing.
8. While at the Gibraltar Border Patrol Station, COL-YAT's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Next Generation Identification (NGI). The results revealed that COL-YAT is a citizen of Guatemala, with no record of obtaining permission to re-enter the United States following his last removal on August 26, 2016.
9. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
10. Review of the Alien File (A# XXX XXX 056) for COL-YAT, and queries in U.S. Department of Homeland Security databases confirm no record exists of COL-YAT obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States after his removal from the United States on August 26, 2016.
11. Based on the above information, I believe there is probable cause to conclude that Edgar Leonel COL-YAT is a native and citizen of Guatemala,

who was previously removed from the United States and was thereafter found in the United States, without the express permission of the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a)

  
Jason Messenger, Border Patrol Agent  
U.S. Department of Homeland Security

Sworn to before me and signed in my  
presence and/or by reliable electronic means.

  
Honorable Anthony P. Patti  
United States Magistrate Judge  
June 24, 2025